

**ADMINISTRATIVE PROCEDURES MANUAL
U.S. DISTRICT COURT for the DISTRICT OF MONTANA**

1. Authorization for Electronic Files
2. Responsibility of the Parties
 - Miscellaneous
 - Personal Account Information
3. Definitions and Instructions
 - Administrative Procedures Manual
 - Certificate of Service
 - CM
 - Conventional Filer
 - ECF
 - ECF User or Registered User
 - E-mail Address of Record
 - Document
 - Internet Service Provider
 - Mountain Time
 - Notice of Electronic Filing
 - Party
 - Portable Document Format
 - System
4. Technical Specifications
5. Access
 - Public Access
 - Internet Access
6. System Availability
7. Registration
 - PACER
 - District of Montana ECF User Registration
 - Filing Fee/Credit Card
8. Signatures
 - Electronic Signature Format
 - Signing “for” Another Atty
 - Multiple Signatures
9. Filing
 - Electronic Filing in ECF Only
 - Timely E-Filed
 - Filing Fees
 - Document Titles
 - Case Numbers
 - Judge Assignment
10. Complaints and Other Initiating Documents
11. Service
 - Complaint
 - Notice of Electronic Filing
 - Certificate of Service
 - Conventional Service of Documents with the NEF
 - Computing Time
12. Answers
13. Notice of Removal
14. Consent to Proceed before a U.S. Magistrate Judge
15. Withdrawal & Substitution of Atty
 - Local Rule 83.9(a)
16. Attachments and Exhibits
17. Discovery
18. Transcripts of Proceedings
19. Hyperlinks
20. Motions
 - Multiple Motions
 - Motions to Intervene
21. Responses and Reply Memoranda
 - Pleadings pertaining to Motions
22. Proposed/Amended Documents
23. Orders and Proposed Orders
 - Orders in General
 - Text Orders
 - Proposed Orders
24. Scanning Specifications
 - Legibility
 - Document Size
25. Correcting a Filing
26. Technical Difficulty in Filing Documents
 - District’s Technical Failures
 - Technical Difficulties in Filing During Regular Business Hours
27. Laptops in the Courtroom
28. Sealed/Restricted Documents
29. E-Government of 2002
 - Personal Identifiers
 - Leave to File Additional Information Under Seal
 - Not Available for Public Access
30. Conventional Filing
 - Documents
 - Exhibits
31. Conventional Copies and Certified Copies

ADMINISTRATIVE PROCEDURES MANUAL

<p>1. Authorization for Electronic Files.</p>	<ul style="list-style-type: none"> - L. R. 1.6(a) - Fed. R. Civ. P. 5(e) - Fed. R. Crim. P. 57 	<ul style="list-style-type: none"> - As of 11/07/05 the official record shall include information transmitted to the court in electronic format and documents filed in paper format shall be made a part of the record. Any conventional documents or exhibits impractical to scan into the electronic record shall be maintained in the Clerk's Office. - All registered users may begin filing on 03/01/06. - Electronic filing will be required of all counsel as of 01/10/07 without cause.
<p>2. Responsibility of the Parties</p>	<ul style="list-style-type: none"> - Miscellaneous 	<ul style="list-style-type: none"> - Maintain an electronic mailbox sufficient to receive the orders and other documents transmitted electronically. - After 01/10/07, counsel must show good cause to file and serve pleadings in a traditional manner. - After the Order Admitting Pro Hac Vice has been entered, counsel shall register to file electronically by submitting an ECF User Registration Form, found on the Court's Website. L. R. 1.6(c) - Original pleadings with intrinsic value should be maintained by the filing party.
	<ul style="list-style-type: none"> - Personal Account Information 	<ul style="list-style-type: none"> - Attorneys are personally responsible for maintaining a working e-mail address. - If your service provider changes or your e-mail address changes, use "Utilities," "Maintain Your Account," "E-Mail Information," and type in your new e-mail address. - "Submit" will save the new information.
<p>3. Definitions and Instructions</p>	<ul style="list-style-type: none"> - Administrative Procedures Manual 	<ul style="list-style-type: none"> - Procedures and instructions for using the court's ECF system can be found on the Court's Website, www.mtd.uscourts.gov consistent with the Local Rules for the District of Montana.

ADMINISTRATIVE PROCEDURES MANUAL

	– Certificate of Service	<ul style="list-style-type: none"> – In accordance with L. R. 5.1(b), parties must include a Certificate of Service with their documents . . . in addition to the NEF that is produced by the system, if one of the parties is a conventional filer. – L. R. Form I, sample “Certificate of Service.”
	– CM	– “Case Management” portion of the electronic filing system used by the Clerk’s Office to maintain the electronic record.
	– Conventional Filer	– L. R. 1.6(b) refers to those filers who are not registered to file electronically.
	– ECF	– Refers to the Court’s “Electronic Case Files” system.
	– ECF User or Registered User	– A person who is registered to use the ECF site.
	– Electronic Filing	<ul style="list-style-type: none"> – Uploading a document directly from the registered user’s computer to the Court’s Internet-based filing system. – Sending a document to the court via e-mail does not constitute “electronic filing.”
	– E-mail Address of Record	– A complete list of Electronic Users can be found on the Court’s Website.
	– Document	– Includes pleadings, motions, exhibits, declarations, affidavits, memoranda, papers, orders, notices, and any other filing by or to the court.
	– Internet Service Provider	– (ISP) The entity/company you use to connect to the Internet.
	– Mountain Time	– Refers to all hours stated in these procedures, Standard or Daylight Savings, whichever pertains.

ADMINISTRATIVE PROCEDURES MANUAL

	– Notice of Electronic Filing	– (NEF) Generated automatically by the ECF system upon completion of an electronic filing. The NEF, when e-mailed to the e-mail addresses of record in the case, acts as the proof of service.
	– Party	– Includes plaintiffs, defendants, counsel of record, and/or pro se litigants.
	– Portable Document Format	– (PDF) Allows anyone to open the converted document across a broad range of hardware and software, with layout, format, links, and images intact. All documents are to be e-filed in PDF format so the integrity of the original document cannot be destroyed.
	– System	– Used to reference the Case Management/Electronic Case Files (CM/ECF) system adopted and implemented by the District Court.
4. Technical Specifications	– In order to have adequate downloading capabilities, filing parties should consider the following technical equipment:	<ul style="list-style-type: none"> – Operating system such as Windows or MacIntosh – Ability to convert documents to portable document format (PDF), using software such as Adobe Acrobat Writer (7.0) or WordPerfect, or the latest version of Word with additional software, so that it is text searchable. – High-speed Internet access, or an Internet dial-up line with a minimum of 56K which is dial-up and very slow. DSL or cable is preferred for better access speed. – Browser System: Internet Explorer 6.0, Netscape 8.0, or Firefox 2.0 – A scanner configured no finer than 200 dpi and black and white rather than color scanning for imaging non-computerized documents.
5. Access	– Public Access at the Clerk's Offices	<ul style="list-style-type: none"> – Access to the electronic record is available for all parties and the public at each divisional office of the District Court during regular business hours. – A copy fee for an electronic reproduction is required in accordance with 28 U.S.C. § 1930.

ADMINISTRATIVE PROCEDURES MANUAL

	<p>– Internet Access</p>	<p>– ECF User Access</p> <ul style="list-style-type: none"> – Remote access to e-file a document in the electronic record is limited to registered ECF users. – Registered users who are parties to a case will receive e-mail notification of a filing and the document e-filed in their e-mail accounts. – The parties are free to review and/or download said filing at the time of the notification. – If a party to a case remotely accesses a document after the initial notification of filing, they will be charged the access fee of \$.08 per page. <p>– PACER Access</p> <ul style="list-style-type: none"> – Remote access to view the electronic record is limited to subscribers to the PACER system. – A user fee of \$.08 per page will be charged by PACER for remotely accessing case information such as e-filed documents, docket sheets, and reports. – The fee schedule places a billing limit of 30 pages (\$2.40) on all case specific reports and documents, with the exception of transcripts.
<p>6. System Availability</p>	<p>– L. R. 1.6(j)</p>	<ul style="list-style-type: none"> – All documents must be e-filed before 5:00 p.m. on the filing deadline date. – However, the system is designed to provide service twenty (24) hours per day and you may e-file at any time if you are filing before your filing deadline. <p>! Parties are encouraged to e-file documents during normal business hours, beginning well before 5 p.m.</p> <p>IF YOU ARE FILING ANYTIME AFTER 4:00 P.M., YOU MAY NOT BE ABLE TO COMPLETE YOUR FILING ON TIME DUE TO THE HIGH VOLUME OF E-FILERS.</p>

ADMINISTRATIVE PROCEDURES MANUAL

<p>7. Registration</p>	<ul style="list-style-type: none"> – PACER – In order to view and query documents, reports, etc., you must use a PACER login and password. 	<ul style="list-style-type: none"> – A PACER login and password is required of all electronic users. – In order to view and query documents, reports, etc., you must use a PACER account. – It is regulated by PACER in Washington D.C. – To register for PACER, a user must complete the online form or submit a registration form, available on the PACER website, http://pacer.psc.uscourts.gov.
	<ul style="list-style-type: none"> – District of Montana ECF User Registration – L. R. 83.3 – L. R. 1.6(g) – In order to e-file documents, you must use your Montana ECF login and password. 	<ul style="list-style-type: none"> – After attorneys complete a 2-hour ECF User Training, the Court will issue ECF logins and passwords. Attorneys must meet the requirements of L. R. 83.3. – Once you attend the training and become a registered user of electronic filing, you waive your right to receive service by any other means other than electronic. – CM/ECF User Registration Form attached hereto.
	<ul style="list-style-type: none"> – Filing Fee/Credit Card 	<ul style="list-style-type: none"> – When completing the ECF User Registration Form, the user may choose to pay on-line by using a credit card. – A user may also contact the Clerk’s Office if they wish to change their method of payment.

ADMINISTRATIVE PROCEDURES MANUAL

<p>8. Signatures</p>	<ul style="list-style-type: none"> - Electronic Signature Format - L. R. 11.1(b). 	<p align="center"> <u> /s/ Jane Attorney </u> Jane Attorney Attorney for Plaintiff/Defendant </p> <ul style="list-style-type: none"> - This electronic signature will not be considered a complete signature unless the typed name follows the “/s/.” - The electronic signature block found here must be used when the attorney signs any document, including the Certificate of Service. If a staff member usually signs the Certificate of Service, it must be scanned in with the original signature.
	<ul style="list-style-type: none"> - Signing “for” Another Attorney 	<ul style="list-style-type: none"> - If someone in your office has asked you to e-file a document “for” them because they are out of the office, you must use your own login and password. - The attorney signing “for” someone else will not associate themselves to the case when asked by the system, but your entire signature is made up of your login, password, and the /s/ attorney name.
	<ul style="list-style-type: none"> - Multiple Signatures - L. R. 11.2 	<ul style="list-style-type: none"> - See L. R. 11.2 for the various options using multiple signatures. The most convenient method for accomplishing multiple signatures is: - Using the “/s/” electronic signature as to the filing party only, using blank signature lines followed by the information required by L R 11.1 as to the other parties, <u>and</u> representing in the text of the document that all parties whose signatures lines appear in the document have consented to its e-filing.
<p>9. Filing</p>	<ul style="list-style-type: none"> - L. R. 7 and 10.1 - Fed. R. Civ. P. 10 	<ul style="list-style-type: none"> - Format of pleadings has remained the same.

ADMINISTRATIVE PROCEDURES MANUAL

	<ul style="list-style-type: none">- Electronic Filing in ECF Only	<ul style="list-style-type: none">- All documents, EXCEPT DISCOVERY DOCUMENTS, shall be electronically filed.- E-mailing a document to the Clerk's Office shall not constitute "filing."
	<ul style="list-style-type: none">- Timely E-Filed- L. R. 1.6(j)(1)	<ul style="list-style-type: none">- A party can e-file 24/7.- A document will be deemed timely e-filed if filed prior to 5:00 pm on the due date.
	<ul style="list-style-type: none">- Filing Fees	<p>Filing Fees may be paid by:</p> <ul style="list-style-type: none">- Check- Money order- Cash- Credit card payments can be made when filing the document on-line, <p align="center">NOTE: The court will not maintain credit card numbers or accounts of any kind for attorneys or law firms.</p>
	<ul style="list-style-type: none">- Document Titles	<ul style="list-style-type: none">- All documents must be e-filed in the appropriate event.- The party electronically filing a pleading or other document may add limited text to a docket entry to supplement the title of the document.

ADMINISTRATIVE PROCEDURES MANUAL

	<p>– Case Numbers</p>	<p>– Since Montana has 5 divisional offices, each case number will start with the division number, i.e., 1:05-cv-100, followed by the judges’ initials.</p> <p>– The division office numbers are as follows:</p> <ul style="list-style-type: none">1 = Billings Division2 = Butte Division4 = Great Falls Division6 = Helena Division9 = Missoula Division <p>– When looking for a document or filing a document in CM/ECF, you need only enter the year and the case number, i.e., 05-100.</p> <p>– However, your documents must include the entire case number, i.e., 05-cv-100-M-DWM-JCL.</p>
	<p>– Judge Assignment</p>	<p>– At the time the complaint is e-filed, a judge will be assigned.</p>

ADMINISTRATIVE PROCEDURES MANUAL

<p>10. Complaints and other initiating documents.</p>	<p>– L. R. 3.1</p> <p>IF YOU HAVE QUESTIONS, PLEASE CONTACT THE CLERK’S OFFICE.</p>	<p>– Civil Cover Sheet, the first page of the Complaint, and your chosen method of payment must be sent to the Clerk’s Office by e-mail, fax or delivery.</p> <p>– Your chosen method of payment must be included with your faxed or e-mailed civil cover sheet.</p> <ol style="list-style-type: none"> 1. You can pay your filing fee over the counter by cash, check, or credit card. 2. You can utilize credit card payment on-line during e-filing. <p>– The Clerk’s Office will contact you with a case number so that the initiating party can immediately e-file in your case electronically with the initiating document(s), i.e., complaint and attached summons.</p> <p>YOUR COMPLAINT MUST BE READY TO E-FILE IMMEDIATELY UPON RECEIPT OF THE CASE NUMBER FROM THE CLERK’S OFFICE.</p> <p>SUMMONS – The summons can be dealt with in the following ways:</p> <ul style="list-style-type: none"> – The filing party may attach an unissued summons when e-filing the initiating document. After the summons is issued, the Clerk’s Office will return it to the party. – A previously issued summons must be attached to the initiating document at the time of e-filing. – OR, the summons may be delivered at a later date to the Clerk’s Office for issuance.
<p>11. Service</p>	<p>– Service of Complaint</p> <p>– L. R. 4.1</p> <p>– Fed. R. Civ. P. 4.</p>	<p>– A party cannot electronically serve a complaint, but instead must effect service according to the Local Rules.</p>
	<p>– Notice of Electronic Filing (NEF)</p> <p>– L. R. 49.</p>	<p>– The system automatically generates a Notice of Electronic Filing (NEF) at the end of each filing.</p> <p>– The Judge and all parties in the case that are electronic users will immediately receive the NEF at their e-mail address</p> <p>– The NEF is the equivalent of proof of service of the document.</p>

ADMINISTRATIVE PROCEDURES MANUAL

	<ul style="list-style-type: none"> - Certificate of Service - L. R. 5.1(b) 	<ul style="list-style-type: none"> - Certificate of Service must be included in all documents, even when filing electronically, if one or more parties is not an electronic registered user. The rule states, “as between registered users, transmission of the Notice of Electronic Filing (NEF) constitutes the service required by the Federal Rules of Civil Procedure, and a certificate of service is moot.” - Thus, if all parties (counsel) are registered users, only the NEF is required. - The certificate must state the manner of service or notice. - Sample Certificate of Service. L. R. Form I.
	<ul style="list-style-type: none"> - Conventional Service of Documents with the NEF 	<ul style="list-style-type: none"> -- A copy of the NEF produced by the electronic system must be included with the hard copy of the pleading sent to non-registered users. - If a document is filed conventionally at the Clerk’s Office, the filing party must serve all parties by regular service, including a Certificate of Service.
	<ul style="list-style-type: none"> - Computing Time - L. R. 6.1 	<ul style="list-style-type: none"> - The three-(3)-day rule for service by mail shall also apply to service by electronic means.
	<ul style="list-style-type: none"> - Prohibited Forms of Service - L. R. 5.4 	<ul style="list-style-type: none"> - Fax or e-mail service is prohibited unless the conventional filer consents.
<p>12. Answers</p>		<ul style="list-style-type: none"> - When filing an Answer, attorneys must create the association between themselves and the party they represent, especially at the time of the first appearance by the attorney (either by the answer or a 12(b)(6) motion to dismiss).

ADMINISTRATIVE PROCEDURES MANUAL

13. Notice of Removal		<ul style="list-style-type: none">– When removing a case from another court, you must use the event “Notice of Removal” under “Initial Pleadings and Service,” and “Complaints, Other Initiating Documents.”– ONLY THE COMPLAINT FROM THE STATE COURT RECORD SHOULD BE ATTACHED TO THE NOTICE OF REMOVAL.– Upon receipt of the state court record from the state court, it will be scanned into the file by the Clerk’s Office.
14. Consent to Proceed before a U.S. Magistrate Judge	– L. R. 73.2	<ul style="list-style-type: none">– Parties will receive a “Mailing of Consent to Proceed before USMJ” by electronic notice with the consent/objection form attached.– Consent forms shall be returned to the Clerk’s Office by CONVENTIONAL means and NOT e-filed in the database electronically. They will be held under seal in the Clerk’s Office.– If all parties consent to magistrate jurisdiction, all consent forms will be scanned into the electronic record of the case as “Notice of Assignment to USMJ.”– If all parties do not consent to magistrate jurisdiction, the order of reassignment will issue and the returned consent forms will be shredded at the conclusion of the case.
15. Withdrawal & Substitution of Attorney	– L. R. 83.9(a).	<ul style="list-style-type: none">– Withdrawal of an attorney is done by filing a “Motion to Withdraw,” found in the “Motions” menu. You must receive leave of court.

ADMINISTRATIVE PROCEDURES MANUAL

16. Attachments and Exhibits	– L. R. 2.	– Except as the local rule otherwise provides, exhibits must be e-filed in electronic format as attachments to the related document. – Anything larger than three (3) megabytes shall be e-filed or attached in three (3) megabyte segments. – If you forget to e-file your exhibits with a particular document, DO NOT E-FILE AN AMENDED DOCUMENT. Prepare a “Notice of Filing Exhibits” and e-file it with the exhibits attached. E-file under “Other Filings,” “Notices,” “Notice of Filing Exhibits.” You will be given the opportunity to link back to the originally e-filed document. – Trial exhibits will not be e-filed unless ordered by the Court.
17. Discovery	– L. R. 26.	– Discovery documents shall not be e-filed with this court except when a motion is e-filed relating to the discovery. – The party filing the motion shall attach the relevant discovery documents to the motion. – The only exception to this rule is the Notice of Taking Deposition or Amended Notice of Taking Deposition. – The first page of the Deposition shall be scanned in and e-filed. – The actual Deposition will be kept in hard copy in the Clerk’s Office.
18. Transcripts of Proceedings	– L. R. 1.7.	– Upon a request for a transcript of proceedings, the court reporter will provide the Court with a certified transcript of proceedings that the Clerk’s Office will maintain in hard copy format. – The docket text will indicate the transcript has been filed conventionally and a copy may be ordered from the court reporter. – Ordering a transcript can be done by using the “Other Filings,” “Other Documents,” and “Transcript Request.” If you use any other event, the court reporter will not receive your request.

ADMINISTRATIVE PROCEDURES MANUAL

<p>19. Hyperlinks</p>	<p>– L. R. 10.3(c)</p>	<ul style="list-style-type: none"> – Hyperlinks to cited authority will be considered no more than a convenient mechanism for accessing material cited in the document. – The hyperlink will be extraneous and will not be considered a part of the court’s record. – Hyperlinks should not be used to circumvent briefing page limitations.
<p>20. Motions</p>	<p>– Multiple Motions</p>	<ul style="list-style-type: none"> – If you are filing two or more motions, in one document, you must select all motions from the drop-down list during the initial filing process. If you hold down the [control] key and click on each motion, each motion will be e-filed appropriately. – If you only click on one motion and then text in the other motions, each motion will not be dealt with as they should. – For example, if you are filing a “motion for summary judgment or in the alternative a motion to dismiss,” you must hold the [control] key down and select each motion, the “motion for summary judgment” and the “motion to dismiss” at the same time. The click “next.”
	<p>– Motions to Intervene</p>	<ul style="list-style-type: none"> – YOU MUST FILE THIS MOTION CONVENTIONALLY WITH THE CLERK’S OFFICE. – Upon leave of court, the Clerk’s Office will enter the intervening parties, and you can then e-file your supplemental pleadings.
<p>21. Responses and Reply Memoranda</p>	<p>– Pleadings pertaining to Motions</p>	<ul style="list-style-type: none"> – Any pleadings pertaining to a motion must be e-filed as separate documents and linked to the respective motion. – All response/reply/support/opposition pleadings must be e-filed individually in order for the system to know that the motion is fully briefed. – Use the events in “Responses and Replies.” You must link to the related motion or the record will not show that it is fully briefed.

ADMINISTRATIVE PROCEDURES MANUAL

22. Proposed/ Amended Documents	– L. R. 15.1.	– When a party moves to file a pleading that requires leave of Court (an amended complaint), the filer must e-file the proposed pleading as an exhibit to the motion. – Upon receiving leave of court, the attorney MUST E-FILE the proposed amended document unless otherwise ordered.
23. Orders and Proposed Orders	– Orders in General – L. R. 5.1(a)	– All orders shall be e-filed and served with the same force and effect as if the judge had affixed the judge’s signature to a paper copy. – If an order is sent to a non-registered party by regular mail, an NEF will be included to provide the non-registered party with proof of service.
	– Text Orders	– A text order may be entered by the judge granting or denying an unopposed order or a motion for extension of time. – A docket entry will be created but a document will not be generated or attached. – The system will generate an NEF which will be forwarded to all parties and have the full force and effect of a regular order.

ADMINISTRATIVE PROCEDURES MANUAL

	<ul style="list-style-type: none"> - Proposed Orders - L. R. 1.6(k-l) 	<ul style="list-style-type: none"> - The proposed order shall be attached as an exhibit to the Motion in PDF format when electronically filing motions for extension of time and unopposed motions only. - To facilitate the review and use by the Court of all or portions of the proposed orders, a working copy of each document shall be submitted by e-mail to the appropriate judge’s chambers in WordPerfect or Word format. - These e-mail addresses are not to be used to communicate with the Court unless otherwise permitted or when communications are solicited by the Court. <p> rfc_propord@mtd.uscourts.gov jds_propord@mtd.uscourts.gov rks_propord@mtd.uscourts.gov seh_propord@mtd.uscourts.gov cso_propord@mtd.uscourts.gov ccl_propord@mtd.uscourts.gov dwm_propord@mtd.uscourts.gov jcl_propord@mtd.uscourts.gov </p> <p>There is an underscore between the judge’s initials and “propord.”</p>
<p>24. Scanning Specifications</p>	<ul style="list-style-type: none"> - Legibility 	<ul style="list-style-type: none"> - If for any reason a document cannot be easily read after scanning and e-filing, the filing party will be instructed by the Court to e-file a legible copy within a specified period of time. - Things to watch for: <ul style="list-style-type: none"> ! Color cannot be reproduced ! Borders, shading, or spots on the document will use precious memory

ADMINISTRATIVE PROCEDURES MANUAL

	<ul style="list-style-type: none"> - Document Size: 	<ul style="list-style-type: none"> - Large documents may not upload properly to the system or download within a reasonable amount of time for users with a 56K modem. - Documents over three (3) megabytes must be e-filed in three-(3)-megabyte segments as attachments.
<p>25. Correcting a Filing</p>	<ul style="list-style-type: none"> - L. R. 1.6(h-l) <p>Call the Help Desk for assistance: 1-866-463-4052</p>	<ul style="list-style-type: none"> - The filing party should not attempt to correct the filing by refileing the correct document in such cases as <ul style="list-style-type: none"> - posting the wrong PDF document to the docket text. - selecting the wrong type of document from the menu. - entering the wrong case number - If appropriate, the court will make an entry indicating that the document was e-filed in error. - The filing party will be advised <i>if</i> the document needs to be refiled.
<p>26. Technical Difficulty in Filing Documents</p>	<ul style="list-style-type: none"> - District's Technical Failures. 	<ul style="list-style-type: none"> - A filing party whose e-filing is made untimely as a result of a technical failure of the District's CM/ECF's site may seek appropriate relief from the court. - System outages will be posted on the Website if possible.
	<ul style="list-style-type: none"> - Help Desk 	<ul style="list-style-type: none"> - 1-866-463-4052 - Available from 8:30 a.m. to 5:00 p.m. - Voice mail messages may be left after hours in the event a party has filing difficulties.

ADMINISTRATIVE PROCEDURES MANUAL

	<p>– Technical Difficulties in Filing During Regular Business Hours</p>	<p>– Problems on the e-filer’s end, such as phone line problems, problems with the e-filer’s ISP, or hardware or software problems, will not excuse an untimely filing.</p> <p>– Parties must contact the Help Desk to obtain permission to send a document by e-mail OR file the document conventionally at the Clerk’s Office.</p> <p>– “Notice of Conventional Filing of Document or Item,” L. R. Form A.</p>
<p>27. Laptops in the Courtroom</p>	<p>– Laptops are allowed in the courtrooms</p>	<p>– The District Court will not provide hookups to the District’s network in accordance with Ninth Circuit security regulations.</p> <p>– If parties wish to have access to the documents e-filed in a case, their laptops must contain any and all documents they will need during the proceeding.</p> <p>– The Judicial Conference has advised against using wireless internet access in the courts.</p>
<p>28. Sealed/ Restricted Documents</p>	<p>– L. R. 7.4(b-c)</p>	<p>– In order to receive leave of court to file something under seal, parties must conventionally file their motion with the Clerk’s Office. (See Local Rule Policy Directive No. 002 regarding the Notice of Conventional Filing)</p> <p>– The document/item to be sealed must accompany the motion in hard copy for review by the Court.</p> <p>– The Clerk’s Office will scan and e-file the motion. The proposed sealed document will be delivered to chambers.</p> <p>– Ex Parte: The system will automatically restrict access to this document. Only the e-filer and court personnel will have access.</p> <p>– Rule 35, and Rule 5K.1 motions must be e-filed by the attorney. The system will automatically restrict the access of these events from the public.</p> <p>– The filing party will be responsible for conventionally serving a hard copy of the sealed document on all parties.</p>

ADMINISTRATIVE PROCEDURES MANUAL

<p>29. E-Government Act of 2002</p>	<p>– L. R. 1.8</p>	<ul style="list-style-type: none"> – Parties shall refrain from including or partially redact where inclusion is necessary, personal data identifiers from all documents e-filed with the court, including exhibits thereto, whether the document is made available electronically or only in paper, unless otherwise ordered by the Court. – A party wishing to e-file a document which references personal data identifiers shall, with leave of court, file an unredacted version conventionally and the Clerk’s Office will e-file said document under seal. Only the court will have access to view these documents. – The filing party will be responsible for serving a hard copy of the unredacted document on all parties. – The responsibility for redacting these personal identifiers rests solely with counsel and the parties. The clerk will not review each document for compliance with this rule.
	<p>– Personal Identifiers</p>	<ul style="list-style-type: none"> – Social Security and Driver’s License Numbers—redacted to the last four numbers. – Names of Minor Children— redacted to initials only. – Dates of Birth—redacted to the year only. – Financial Account Numbers— redacted to the last four digits of the account numbers.
	<p>– Leave to file additional information under seal.</p>	<ul style="list-style-type: none"> – Parties may move to file under seal the following information: <ul style="list-style-type: none"> – medical records, employment history, individual financial information, proprietary or trade secret information, information regarding an individual’s cooperation with the government, information regarding the victim of any criminal activity, national security information, or sensitive security information as described in 49 U.S.C. § 114(s).

ADMINISTRATIVE PROCEDURES MANUAL

	<ul style="list-style-type: none"> - Not Available for Public Access 	<ul style="list-style-type: none"> - unexecuted summonses and warrants in criminal cases; - pretrial bail reports and presentence investigation reports; - the sentencing judge's statement of reasons in a criminal judgment; - juvenile records; - documents containing identifying information about jurors or potential jurors; - financial affidavits filed by persons seeking representation pursuant to the Criminal Justice Act; - <i>ex parte</i> documents, including but not limited to requests for authorization of investigative, expert or other services pursuant to the Criminal Justice Act; - sealed documents, including but not limited to motions for subpoenas under Fed. R. Crim. P.; - 17(b) and motions for downward departures for substantial assistance; - minutes and transcripts from sealed court proceedings; or - other documents or proceedings as provided by statute, rule, or policy.
<p>30. Conventional Filing</p>	<ul style="list-style-type: none"> - Documents - L. R. 1.6(d-g) 	<ul style="list-style-type: none"> - All attorneys must show cause why they are not filing their documents electronically. - When an attorney is unable to file electronically in an active or subsequent case in which they are or will be associated, they must file "Motion for Leave to File Conventionally in This Case," L. R. Form H. - Conventionally filed documents will be scanned and filed electronically at all divisional offices. - L. R. 1.6(g) allows for the disposal of conventionally filed documents unless it is necessary to keep the original on file in the Clerk's Office.

ADMINISTRATIVE PROCEDURES MANUAL

	<ul style="list-style-type: none">- Exhibits- L. R. 7.2	<ul style="list-style-type: none">- A “Notice of Conventional Filing” must accompany the exhibits.- Registered users must move for leave to file an exhibit in CD-Rom or by conventional means unless it falls under the provisions of L. R. 7.2.<ul style="list-style-type: none">- too lengthy to e-file;- oversized, such as blueprints or maps;- administrative records; or- trial exhibits- A party may move for leave to file an exhibit in CD-ROM or conventional format by describing the exhibit and explaining why it cannot be e-filed.- Users should check the Court’s website for guidance regarding what constitutes an exhibit too large to e-file and for other ways of handling exhibits.- Exhibits must be described in full.
31. Conventional Copies and Certified Copies	<ul style="list-style-type: none">- 28 U.S.C. § 1914.	<ul style="list-style-type: none">- Conventional copies and certified copies may be obtained at all divisional offices of the Court.- Fees for copying and certifying will be in accordance with statute.